

**LABEL IN PART:** (Btl.) "Plantation 'The Original' Brand Blackstrap Molasses Vi-Tabs \* \* \* Dehydrated Blackstrap Molasses Distributed by Plantation Foods, Inc., Newark, New Jersey \* \* \* A rich natural source of vitamins and minerals."

**LIBELED:** 11-8-62, Dist. Minn.

**CHARGE:** 403(j)—when shipped, the article purported to be a food for special dietary use by reason of its vitamin and mineral content and its label failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirements of vitamin B<sub>1</sub>, iron, and calcium supplied by such food when consumed in a specified quantity during a period of one day, and a statement of the quantity of vitamin B<sub>1</sub>, iron, and calcium in a specified quantity of such food.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7398.

**DISPOSITION:** 1-4-63. Default—destruction.

**29290. Dietary food supplement.** (F.D.C. No. 49350. S. No. 54-870 V.)

**QUANTITY:** 135 300-gm. ctns. at Kansas City, Mo.

**SHIPPED:** On or about 3-16-61, from Beverly Hills, Calif.

**RESULTS OF INVESTIGATION:** Examination showed that the article contained approximately 75 percent of the declared amount of vitamin C.

**LIBELED:** On or about 9-25-63, W. Dist. Mo.

**CHARGE:** 403(a)—while held for sale, the label statement "Contents of 1 Baby-Pak daily will supply \* \* \* Vitamin C \* \* \* 60 mg." was false and misleading as applied to a product containing less than the declared amount of vitamin C.

**DISPOSITION:** 12-5-63. Default—destruction.

**29291. Liquid vitamin supplements.** (F.D.C. No. 49109. S. Nos. 23-545/9 V, 22-601/4 X.)

**QUANTITY:** 10 cases, each containing 12 btl., and 233 btl. of Tri-Vida Drops, and 72 cases, each containing 12 btl., of Vides Drops at Salt Lake City, Utah.

**SHIPPED:** Between 12-28-62 and 5-2-63, from Culver City, Calif., by Leo Linden Laboratories, Inc.

**LABEL IN PART:** (Btl.) "Tri-Vida Drops 30 cc. \* \* \* Each 0.6 cc contains \* \* \* Supplied by Deseret Pharmaceutical Co. Salt Lake City, Utah," and "Vides Drops 30 cc. \* \* \* Each 0.6 cc. Contains \* \* \* Supplied by Deseret Pharmaceutical Co. Salt Lake City, Utah."

**RESULTS OF INVESTIGATION:** Examination showed that the articles were short in volume.

**LIBELED:** 7-23-63, Dist. Utah.

**CHARGE:** 403(e)(2)—the label of the article failed to bear an accurate statement of the quantity of contents when shipped.

**DISPOSITION:** 11-8-63. Default—destruction.

**29292. Various dietary products.** (Inj. No. 377.)

**COMPLAINT FOR INJUNCTION FILED:** 10-9-61, W. Dist. Pa., against Nutrition Square, Inc., Lackzoom Co., Inc., Nato Labs., Inc., Stylex, Inc., Modern Foods,

Inc., and General Nutrition Corp., located at Pittsburgh and Carnegie, Pa., and t/a Natural Sales Co., Vitamin Sales Co., and Pile Aids Co.

**CHARGE:** The complaint alleged that the defendants were engaged in receiving from interstate sources and packing, repacking, labeling, relabeling, selling, and distributing singly and in combination, various dietary products; and that in connection with such business the defendants employed the following written, printed, and graphic material: catalogues entitled "Vitamin Sales Catalogue, 1960 Edition," "Natural Foods don't Have to be Expensive," "Genuine Nutrition Square Vitamins at Discount House Prices," and "Vitamin Sales Co. Brings You Lower Than Wholesale Prices! . . . 1960 Price List"; folder entitled "Exciting Health News for Nutritionally-Deficient Men and Women Over 40"; sheets entitled "Nato C-900," "Now a New Development in Natural Source Supplementation!," and "Chewy! Luscious! Unique New Vita-Chews"; folder entitled "The new convenient easy way to get All of the Natural Organic Vitamins Daily"; sheets entitled "Nato Laboratories Order Form" and "Special Husband and Wife Offer"; catalogue entitled "1960 Edition . . . Vitamin Sales Catalog."

The complaint alleged further that the defendants caused the dietary products to be adulterated and misbranded while held for sale after shipment in interstate commerce, and that they also caused such adulterated and misbranded products to be introduced and delivered for introduction into interstate commerce. The names of the products and the manner in which they were adulterated and misbranded as alleged in the complaint are set forth below:

<i>Article</i>	<i>Sec. of Act Violated</i>	<i>Specification of Violation</i>
All-Vite Tabs Code 81.	403(a)	Falsely represented to be high potency vitamin-mineral formula.
	402(a)(2)(C)	Contained food additives unsafe within the meaning of 409.
Biovin tablets Code 17.	403(a)	Falsely represented as "Extra Potent" and "A Most Complete Balanced Formula."
	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
Corvite tablets Code 17.	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
	403(a)	Statement that minimum daily requirements for nicotinamide not established was false.
	403(j)	Failed to bear minimum daily requirement for nicotinamide as required by regulation.
	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
Juvetol capsules----	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
	403(f)	Label statements not sufficiently conspicuous.

Article	Sec. of Act Violated	Specification of Violation
Maxitron capsules	403(a)	Falsely stated the minimum daily requirement for niacinamide has not been established.
	403(j)	Label failed to bear statement of minimum daily requirements for niacinamide as required by regulation.
	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
Mulplex capsules	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
	403(a)	Falsely stated the minimum daily requirements for niacinamide has not been established.
	403(j)	Label failed to bear statements of minimum daily requirements for niacinamide as required by regulation.
Multi-Mineral tablets.	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
Code 31 Multiple Vitamins and Minerals Lo-Cal.	403(a)	Falsely stated minimum daily requirement for niacinamide had not been established.
		Misleading to state contains as much vitamin A as in 3 qts. of whole milk, as much vitamin D as in 1½ pounds of butter, and as much vitamin B-6 as in 1½ pounds of potatoes.
	403(j)	Label failed to bear statement of minimum daily requirements for niacinamide as required by regulation.
	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
Naturex tablets	402(a)(2)(C)	Contained food additive unsafe within meaning of 409.
Prenatal Code 58 tablets.	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
Desiccated Liver fortified with Folic Acid and B-12 7½-gr. tablets.	402(a)(2)(C)	Contained food additive unsafe within meaning of 409.
	403(j)	Represented to be a food for special use and its label failed to bear information concerning its dietary properties as required by regulation in view of its desiccated liver content.
Folic Acid Vitamin B-12 and Desiccated Liver Tablets 7½-grain tablets.	402(a)(2)(C)	Contained food additive unsafe within meaning of 409.
Gerovite tablets	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.

<i>Article</i>	<i>Sec. of Act Violated</i>	<i>Specification of Violation</i>
GGF capsules-----	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.
Hemotrex-----	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.
Hemotrin-----	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.
High Potency B Complex tablets.	403(a)	Falsely represented as High Potency; falsely stated the need for niacinamide in human nutrition has not been established.
	403(j)	Failed to bear the minimum daily requirement for niacinamide as required by regulations.
	402(a) (2) (C)	Contained food additive unsafe within meaning of 409.
Juvelin capsules-----	403(f)	Label statements not sufficiently conspicuous.
Code 16 Solotron tablets.	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.
Stress-O-Vite tablets.	403(a)	Falsely stated the minimum daily requirements for niacinamide had not been established.
	403(j)	Label failed to bear statement of minimum daily requirements for niacinamide as required by regulations.
	403(f)	Label statements not sufficiently conspicuous.
	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.
Stresstron tablets-----	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.
	403(a)	Falsely stated the minimum daily requirements for niacinamide had not been established.
	403(j)	Label failed to bear statement of minimum daily requirements for niacinamide as required by regulations.
Supertron-----	403(a)	Falsely represented to be high potency vitamin-mineral formula; and falsely stated the minimum daily requirements for niacinamide had not been established.
	403(j)	Label failed to bear statement of minimum daily requirements for niacinamide as required by regulations.
	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.
Tonetron capsules--	402(a) (2) (C)	Contained food additives unsafe within meaning of 409.

<i>Article</i>	<i>Sec. of Act Violated</i>	<i>Specification of Violation</i>
Tonetron capsules— Continued	403(a)	Falsely stated the minimum daily requirements for niacinamide had not been established.
	403(j)	Label failed to bear statement of minimum daily requirement for niacinamide as required by regulations.
Treovim 62 tablets..	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.
	403(a)	Falsely represented as a most complete formula; falsely stated minimum daily requirements for niacin had not been established.
	403(j)	Label failed to bear statement of minimum daily requirement for niacin as required by regulations.
Malex capsules-----	403(a)	Falsely stated the minimum daily requirement for niacin is not established and that the need in human nutrition for vitamin E has not been established.
	402(a)(2)(C)	Contained a food additive unsafe within the meaning of 409.
	403(j)	Failed to bear the minimum daily requirements for niacin as required by regulations.
Miner-all capsules..	402(a)(2)(C)	Contained a food additive unsafe within meaning of 409.
Onem capsules-----	403(a)	Falsely stated the minimum daily requirement for niacin is not established. Falsely stated the need in human nutrition for vitamin E and niacin had not been established.
	402(a)(2)(C)	Contained a food additive unsafe within meaning of 409.
	403(j)	Failed to bear the minimum daily requirements for niacin as required by regulations.
Superex tablets-----	403(a)	Falsely stated that the need in human nutrition for vitamin E had not been established.
	402(a)(2)(C)	Contained a food additive unsafe within meaning of 409.
T D Vites capsules..	403(f)	Label statements not sufficiently conspicuous.
Vita-Chews tablets..	403(a)	Falsely represented to be of high potency.
	403(j)	Label statements not sufficiently conspicuous.

<i>Article</i>	<i>Sec. of Act Violated</i>	<i>Specification of Violation</i>
Rice Polishings----- 8½-gr. tabs.	403(j)	Represented to be a food for special dietary use and label failed to bear statement of the minimum daily requirements of its vitamin content as required by regulation.
Rose Hips Powder--	403(j)	Represented to be a food for special dietary use and label failed to bear statement of the minimum daily requirements of its vitamin content as required by regulation.
Toasted Wheat Germ.	403(j)	Represented to be a food for special dietary use and label failed to bear statement of the minimum daily requirements of its vitamin content as required by regulation; and label failed to bear statement of the minimum daily requirements of its mineral content or protein content as required by regulation.
Raw Wheat Germ--	403(j)	Represented to be a food for special dietary use and label failed to bear statement of the minimum daily requirements of its vitamin content as required by regulation; and label failed to bear statement of the minimum daily requirements of its mineral content or protein content as required by regulation.
Amino Wafers-----	403(a)	Name falsely represented the article contained free amino acids.
Bone Meal tablets--	403(a)	Name falsely represented the article to be bone meal.
Ferodine Iodine Ration.	403(a)	The article was kelp tablets and was not so designated.
	402(a)(2)(C)	Contained a food additive unsafe within the meaning of 409.
Iodine Ration-----	403(a)	The article was kelp tablets and was not so designated.
	402(a)(2)(C)	Contained a food additive unsafe within the meaning of 409.
Lecithin capsules---	403(a)	Name falsely represented the article to be lecithin.
Soybean Lecithin and Soybean Oil capsules.	403(a)	Name misleading since the article contained other ingredients in addition to soybean lecithin and soybean oil.
Appetone tablets-----	403(a)	Falsely stated the minimum daily requirement for niacin has not been established.

<i>Article</i>	<i>Sec. of Act Violated</i>	<i>Specification of Violation</i>
Appetone tablets— Continued	403(j)	Failed to bear the minimum daily requirement for niacin as required by regulation.
B-Plex with Vitamin C Tablets and B.C. Plex Tablets	403(a)	Falsely stated the minimum daily requirement for nicotinamide has not been established.
	403(j)	Failed to bear the minimum daily requirement for nicotinamide as required by regulation.
BeneVim tablets----	403(a)	Falsely stated the minimum daily requirement for niacin has not been established.
	403(j)	Failed to bear the minimum daily requirement for niacin as required by regulation.
Brewers' Dried Yeast tablets.	403(j)	Failed to bear the minimum daily requirement for niacin as required by regulation.
CeeBees capsules---	403(a)	Falsely stated the minimum daily requirement for niacin has not been established.
	403(j)	Failed to bear the minimum daily requirement for niacin as required by regulation.
Code 11 Multiple Vitamin capsules.	403(a)	Falsely stated the minimum daily requirement for niacinamide has not been established.
	403(j)	Failed to bear the minimum daily requirement for niacinamide as required by regulation.
Gere-Nat tablets---	403(f)	Label statements not sufficiently conspicuous.
Homobone-----	403(a)	Misleading to declare contains in one can the calcium content of 27 quarts of milk or 120 pounds of white bread, and the phosphorus content of almost 5 dozen eggs or 60 pounds of white bread.
Improved B Com- plex tablets.	403(a)	Falsely stated the minimum daily requirement for niacin has not been established.
	403(j)	Failed to bear the minimum daily requirement for niacin as required by regulation.
Improved B-For- mula tablets.	403(a)	Falsely stated the minimum daily requirement for niacin has not been established.
	403(j)	Failed to bear the minimum daily requirement for niacin as required by regulation.

<i>Article</i>	<i>Sec. of Act Violated</i>	<i>Specification of Violation</i>
Morvite tablets----	402(a)(2)(C)	Contained a food additive unsafe within the meaning of 409.
Code 14 Therapeutic Multi Vitamins	403(a)	Falsely represented to be a food as it is a drug since the ingredients are in excess of the potencies required in a food for special dietary use.
Niacinamide tablets-	403(a)	Falsely stated the minimum daily requirement for niacinamide has not been established.
	403(j)	Failed to bear the minimum daily requirement for niacinamide as required by regulation.
Organic Bone Meal-	403(j)	Represented to be a food for special dietary use by reason of its iron content and its label failed to bear information concerning its mineral properties as required by regulation.
Pro-Hemo tablets---	403(a)	Falsely stated the minimum daily requirement for niacin is not established.
	403(j)	Failed to declare the minimum daily requirement for niacin and iron as required by regulation.
Suproday tablets---	403(a)	Falsely represented as a preventive of depletion of energy.
Ultraplex tablets---	403(a)	Misleading to call "high potency."
V-day capsules-----	403(j)	Failed to declare the minimum daily requirement for niacin as required by regulation.
	403(a)	Misleading to call "high potency" and that the article is in proper balance.
	403(a)	Falsely represented that the minimum daily requirement for niacin has not been established.
Vitaloz Lozenges----	403(a)	Falsely represented that the minimum daily requirement for niacinamide has not been established.
	403(j)	Failed to declare the minimum daily requirement for niacinamide as required by regulation.
Vitamin A 50,000 Units capsules	403(a)	Falsely represented that it was a food in view of its high potency which makes it a drug.
Vitamin A 25,000 Units	403(a)	Falsely represented that it was a food in view of its high potency which makes it a drug.
Vitatron capsules---	402(a)(2)(C)	Contained food additives unsafe within meaning of 409.

The complaint alleged also that certain products, including a number of the above-named, were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 7308.



The complaint alleged further that the defendants were well aware that the products were misbranded; that establishment inspections had been made of defendants' premises on 2-20-52, 5-29-58, 12-1-59, and 1-5-60; that the defendants had responded to a Notice of Hearing which was held on 1-29-59; that a seizure was made of defendants' goods in 1949; and that a criminal prosecution for violation of the Act was pending against Nutrition Square, Inc.; that, despite the warnings conveyed by such inspection, hearing, seizure and prosecution, the defendants continued to violate the Act; and that the defendants had on hand stocks of the above-named products, the bulk raw materials for such products, and the above-named written, printed, and graphic matter, which stocks constituted a menace to interstate commerce.

**DISPOSITION:** 10-9-61. The defendants having consented, the court entered a decree perpetually enjoining and restraining the defendants (1) from introducing into interstate commerce, any of the above-named products (in bulk and as repacked) adulterated and misbranded as alleged in the complaint, and any other products adulterated and misbranded in a similar manner; and (2) doing any act with respect to such products which result in such products being so adulterated or misbranded while held for sale by the defendants after shipment in interstate commerce. The decree provided also that such stocks of the products, other than those of no value which were then on hand at defendants' place of business, be relabeled so as to be brought into compliance with the Act and that all of the catalogues, folders, and sheets described above, and any similar material being held at defendants' place of business be destroyed.

**29293. Hadacol capsules. (F.D.C. No. 48116. S. No. 57-063 T.)**

**QUANTITY:** 28 25-capsule btl. and 22 50-capsule btl. at Harlingen, Tex.

**SHIPPED:** 11-16-59, from Memphis, Tenn.

**LABEL IN PART:** (Btl.) "Hadacol \* \* \* A Dietary Supplement \* \* \* Each Hadacol capsule contains \* \* \* Folic Acid, USP 0.25 mg."

**LIBELED:** 9-28-62, S. Dist. Tex.

**CHARGE:** 402(a)(2)(C)—while held for sale, the article contained a food additive, namely, folic acid, which was unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7438.

**DISPOSITION:** 10-27-62. Default—destruction.

**29294. Hexavitamin capsules. (F.D.C. No. 49126. S. No. 66-389 V.)**

**QUANTITY:** 127 cases, each containing 12 500-capsule btl., at South Hackensack, N.J.

**SHIPPED:** On an unknown date, part of the article had been shipped from Bedford, Mass. This was a return shipment.

**RESULTS OF INVESTIGATION:** The article was a commingled lot comprised of capsules returned from Bedford, Mass., and those returned from a local consignee. Analysis showed that the article contained approximately 77 percent of the declared amount of thiamine hydrochloride.

**LIBELED:** On or about 8-1-63, Dist. N.J.